

PROMOTIONS IN THE REGULAR ARMY

William James Davis to be colonel, Infantry.
 John Fleming Clapham to be colonel, Adjutant General's Department.
 Albert Sidney Johnston Tucker to be lieutenant colonel, Infantry.
 Marion Ogilvis French, to be lieutenant colonel, Infantry.
 Clarke Kent Fales to be major, Infantry.
 Paul August Hodapp to be major, Quartermaster Corps.
 George Henry Zautner to be major, Quartermaster Corps.
 Ezra Davis to be major, Quartermaster Corps.
 Solomon Foote Clark to be major, Field Artillery.
 Stowe Thompson Sutton to be captain, Infantry.
 James Ainsworth Brown to be captain, Infantry.
 Elliott Raymond Thorpe to be captain, Infantry.
 Oscar Douglas Sugg to be captain, Infantry.
 George Elmer Pruitt to be captain, Quartermaster Corps.
 Le Roy Allen Walthall to be captain, Air Corps.
 Lucas Victor Beau, Jr., to be captain, Air Corps.
 Joseph Howard Gilbreth to be first lieutenant, Infantry.
 James Francis Collins to be first lieutenant, Field Artillery.
 Horace Alvord Quinn to be first lieutenant, Infantry.
 Lee Roy Williams to be first lieutenant, Infantry.
 James Virgil Thompson to be first lieutenant, Infantry.
 Henri Anthony Luebberrmann to be first lieutenant Cavalry.
 Harold James Coyle to be first lieutenant, Field Artillery.
 Paul Edwin Meredith to be first lieutenant, Infantry.
 Olaf Helgesen Kyser, Jr., to be first lieutenant, Coast Artillery Corps.

PROMOTIONS IN THE NAVY

MARINE CORPS

Rosco Ellis to be chief quartermaster clerk.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 17, 1933

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D.D., offered the following prayer:

Thou who art our all-glorious, Heavenly Father, be merciful to accept the poverty of our gratitude. We pray that the spirit of our divine Teacher may purge out the leaven of envy, of jealousy and selfishness, that we may all be brought together in common sympathy, in common desire for the common welfare of our country. As we walk in the midst of care and labor, give us a sense of Thy overruling sovereignty and of that life that is above this life. Let our thoughts and feelings carry no pain, but joy, well-wishing, and good will. Father in Heaven, look graciously upon all classes and conditions of men. May our hands be open and our hearts warm to encourage and succor those who are in need and in misfortune. In the name of the world's Saviour. Amen.

The Journal of the proceedings of Friday, April 14, 1933, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 158. An act to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day.

IMPEACHMENT PROCEEDINGS AGAINST UNITED STATES DISTRICT JUDGE HAROLD LOUDERBACK

The SPEAKER laid before the House the following communication from Edwin A. Halsey, the Secretary of the Senate, transmitting a copy of the answer of United States District Judge Harold Louderback to the articles of impeachment exhibited against him by the House of Representatives, which was referred to the managers on the part of the House conducting the impeachment proceedings:

I, Edwin A. Halsey, Secretary of the Senate of the United States of America, certify that the Senate, sitting for the trial of Harold Louderback, United States district judge for the northern district of California, upon articles of impeachment exhibited against him by the House of Representatives of the United States of America, did on April 11, 1933, adopt an order, of which the following is a full, true, correct, and compared copy:

"Ordered, That the Secretary of the Senate communicate to the House of Representatives an attested copy of the answer of Harold Louderback, judge of the United States district court in and for the northern district of California, to the articles of impeachment, and also a copy of the foregoing order."

I do hereby further certify that the document hereto attached, consisting of 38 sheets, is a photostatic copy of the answer of said Harold Louderback to the articles of impeachment exhibited against him by the House of Representatives, presented by said Harold Louderback to the Senate, sitting as Court of Impeachment, on April 11, 1933.

In testimony whereof, I hereunto subscribe my name and affix the seal of the Senate of the United States of America this 12th day of April A.D. 1933.

[SEAL]

EDWIN A. HALSEY,

Secretary of the Senate of the United States.

THE TAXING OF CRUDE OIL

Mr. PARKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a very brief statement on the oil situation by a distinguished citizen of my State.

Mr. KVALE. Mr. Speaker, I reserve the right to object, and do so only for the purpose of obtaining the floor for a moment to ask the majority floor leader if he cannot tell the House where the direct relief bill is and when it may come out.

Mr. BYRNS. The direct relief bill is under consideration by the Committee on Banking and Currency. I am sorry I cannot give the gentleman any definite information as to when it will be reported. The chairman of this committee is here. I shall ask him to answer the gentleman's question.

Mr. STEAGALL. In deference to the wishes of some of the members of the committee we have conducted short hearings on this bill. We hope to finish the hearings, and probably finish the bill tomorrow.

Mr. KVALE. Of course, the gentleman is fully aware of the desperate need there is in many sections of the country.

Mr. STEAGALL. Yes.

Mr. KVALE. And he is anxious to expedite this legislation.

Mr. STEAGALL. Certainly.

Mr. KVALE. Mr. Speaker, I withdraw my reservation of objection and apologize to the gentleman from Arkansas for the delay.

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask the gentleman from Arkansas if it was his own remarks he wished to extend?

Mr. PARKS. I made the statement that I wished to extend my remarks by including about 20 lines of a statement of a distinguished citizen of my State on the question of oil taxation.

Mr. RICH. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. PARKS. Mr. Speaker, under permission granted me to extend my remarks in the RECORD, I include a statement by Judge George M. LeCroy, of El Dorado, Ark., on the Taxing of Crude Oil.

Judge LeCroy is a profound lawyer and an able judge. For many years he has been judge of the second division of the seventh chancery district of Arkansas. In the past 10 years he has heard thousands of cases involving every conceivable question pertaining to oil and oil production; he has been a student of taxation, and while he is an independent producer he has made a careful survey of the entire field of oil production, and I think this statement is worthy of being printed in the RECORD for the benefit of all who are interested in this subject.

The statement follows:

EL DORADO, ARK., April 14.—There is offered with the discovery of each big oil field a technical, new plan of rules and regulations controlling flush production, which nobody can understand or knows anything about and which is usually discussed and litigated until the oil is gone. The truth of it is that purchasers of crude oil have never paid very much for flush production in any oil field, neither are they going to until a plain common-sense solution or regulation is arrived at, and we suggest the following:

Let our Federal Government levy a production and import tax of \$1 per barrel on every barrel of oil produced in the United States or imported; then exempt from this tax the first 100 barrels per day produced from each and every well in the United States.

This will solve the problem; it will put them all alike to looking for tax-free oil; it will put the internal revenue department to checking for its taxes, and we will have no more hot oil; it will put the whole industry on a firm, substantial basis, and the country will go forward with a program of exploitation and development; it will cause our little stripper wells to be reclaimed and operated at full capacity; it will put the idle and unemployed of the oil industry to work at once, and with such a program we can go forward and make some money.

THE WAY TO CARRY THE NEW DEAL HOME

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks by including a radio address I delivered Saturday night.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, under leave granted me to extend my remarks in the RECORD, I include an address I delivered over the radio on the Way of Carry the New Deal Home, under the auspices of the American Taxpayers League, from the studio of the National Broadcasting Co., Washington, D.C., Saturday night, April 15, at 7 o'clock.

The address is as follows:

When I was a small boy my mother talked and read to me a great deal. Most of her talks were about the great fundamentals of life, but in simple language that I could understand. I remember one evening she told me about the law of retribution. No, she didn't call it by that name; she called it the law of "in return", and I understood that. She gave me several simple examples so this fundamental law would register upon my young and immature mind. I remember she told me, among other things, that if I treated my playmates in the right way they "in return" would treat me in the right way; that if I were good to people they "in return" would be good to me; that if I led a clean life God "in return" would give me a clean mind and body. And she told me that this law was just another way of stating the proposition that we reap what we sow.

I have been thinking a great deal lately about what my mother told me, and I am wondering tonight if what is wrong with the American taxpayer today is not the fact that the law of "in return" has set in to work.

Do not think for one moment that the law of retribution, or, as my mother was wont to call it, the law of "in return", does not apply to governments but is just a moral law that brings punishment for some spiritual delinquency. It is the law of State as well as church. It applies to our social system, to our economic system, to our business system, and to governments, national, State, county, and municipal. It is recorded, you will remember, that in the days of long ago it applied to the prodigal, to the business men to whom the Master intrusted the investment of the talents, and, likewise, to the governments of Sodom and Gomorrah.

And do not think that I am trying to preach to you. I am not. I am only a grown-up country boy who was reared by a godly old-fashioned country mother, and who still believes in her philosophy of life. The trouble with some of us is that we look upon religion as some fantastic, idealistic, intangible kind of thing that is good for the old and sick and the women and children. Well, get this: Religion is good, hard, common sense, and is good for men—red-blooded men, tax-paying men, office-holding men—and is also good for governments. The man who thinks he can run his own life, his business, or this Government any other way except in accordance with the principles of Christianity will wake up some day and find out that it can't be done.

We have been trying it, and let me give you, purely from the standpoint of the taxpayer, a few of the results:

Twenty years ago \$1 out of every \$15.50 earned went to the support of the Government. Do you realize the toll governments took last year? Why, last year \$1 out of every \$3 earned went to the support of the governments.

Twenty years ago the cost of the Federal Government was around \$750,000,000. Last year the cost of the Federal Government was around \$5,000,000,000.

Twenty years ago the cost of State and local governments was around \$1,250,000,000. Last year the cost of State and local governments was around \$10,000,000,000.

Twenty years ago the cost of the Federal Government was around \$10 per person. Well, what did it cost last year? Around \$40 for every man, woman, child, and baby in America.

Twenty years ago the cost of State and local governments was around \$38 per person. Well, what did it cost last year? Around \$80 per person.

Twenty years ago the Federal indebtedness was \$1,028,564,055. Today the Federal indebtedness is \$21,362,464,177.

Twenty years ago the State and local indebtedness was \$3,196,300,000. Today the State and local indebtedness is around \$15,000,000,000.

Twenty years ago farm taxes were \$278,000,000. Last year farm taxes amounted to \$629,000,000.

And, Mr. Farmer, get this: The expenses of the Federal Government for the fiscal year ending June 30, 1932, were practically as much as the value of all farm products. When I say farm products I mean exactly what I say—all your grain, hay, livestock, poultry, and dairy products.

We have, indeed, come to a sad pass when it takes all the farmers produce—get that—produce and not earn—in a year to run the Federal Government for a year. Do you realize what that means? Listen: It means that one fourth of our population—because the farmers and their families comprise over one fourth of our population—is working from 10 to 14 hours per day producing grain of all kinds, livestock of all kinds, poultry of all kinds, and dairy products of all kinds, and selling same in order to realize enough money to support the Federal Government alone.

I only wish I had time to give you a few more results.

When I get through talking I want you to sit right where you are and answer for yourselves if the sad estate to which we have fallen is not—

"In return" for surrendering powers that should ever remain in the people to some centralized governmental agency?

"In return" for electing to office those who put self above the common good and for permitting the influence of selfish interests to dominate our policies of State?

"In return" for running our governments on borrowed money?

"In return" for the indifference we show to the God-given right of suffrage?

Well, you ask me, What are you going to do about it? Let me tell you, Mr. Taxpayer, this Government belongs to you—get that—and if it is not being run in the right way it is your fault—get that, too. How about running our governments, Federal, State, county, and municipal, in such a way that the law of "in return" will work in our favor, reducing the tax rate, instead of against us, increasing the tax rate? How about putting more common sense and less bureaus and commissions into our governmental set-ups? How about putting more ordinary honest minds and fewer master minds in positions of power and trust? How about holding down governmental expenditures to governmental receipts so buckle and tongue will meet at the end of each fiscal year? How about qualifying yourself to vote and then protecting your interest by taking an active part in affairs of state?

Oh, let me tell you how to carry the new deal home. Here is my prescription:

(1) Quit surrendering powers that should ever remain in the people to some governmental agency over which the people have no control and about which the people know very little if anything. There can be no such thing as a centralized democracy. The most costly and dangerous thing a democracy can do is to centralize power. This centralization of power accounts for our overlapping, inefficient, and useless departments, bureaus, and commissions, of which there are over 200 here in Washington within the 13 major branches of the Federal Government; and do not think that the Federal Government is the only government afflicted with these useless departments, bureaus, and commissions, because most of the State, county, and municipal governments are honeycombed with them. A good way to reduce your taxes—Federal, State, county, and municipal—is to reduce your departments, bureaus, and commissions, and bring the governments back to the people to be administered by their chosen representatives.

(2) Quit electing just anyone to office. Be careful in electing men to man your governments. If you want a clean, efficient, and frugal government, elect clean, efficient, and frugal men. And in electing your officials above everything else put honest minds above master minds. The trouble with our country today is the fact it has been afflicted with too many master minds. Sleep on this tonight: I would not give one honest mind for a cow pen full of master minds.

And another thing: Quit permitting selfish interests—interests whose highest conception of patriotism is loyalty to the gang and whose love of country is measured in terms of dollars—to dominate the policies of governments.

(3) Quit running our governments on borrowed money, because pay day will certainly come around. You had just as well try to get rid of sassafras sprouts as to get rid of pay day. Do not get it into your head that it is possible for governments to pay for the extravagances of today out of the taxes of tomorrow. Governments, like individuals, that live beyond their income sooner or later come to grief. In order to have stable governments, governmental budgets must be kept in balance.

(4) And, lastly, quit remaining a governmental slacker. Become not only interested but active in affairs of state. Do you realize, Mr. Taxpayer, that on an average less than 50 percent of our potential voting population actually vote? And yet many taxpayers who do not vote, who take no part, active or inactive, in our elections are complaining of high taxes! Some, you know, think they are too busy to devote a little time to affairs of state. Well, I know that some of the taxpayers are pretty busy and that their time is important, but I know, too, that if they would

devote a little time to governmental affairs that they would find that it will pay them big dividends in the way of tax reduction. And then some, you know, are too pure to mix in elections. Poor deluded things! If elections are rotten, it is because the really good men and women are inactive. Let me tell you this: I have no patience with men and women who pretend to be too good to take a part in politics. When people begin to think they are too good to participate in affairs of state they are, in my opinion, already damned or should be knocked in the head before they fall from grace.

Mr. Taxpayer, answer these questions:

If the Government is being run in an extravagant manner, will you lower the tax rate by letting it remain in extravagant hands? If the Government is being run in an inefficient manner, will you obtain efficiency by letting it remain in inefficient hands?

If the Government is being run in a corrupt manner, will you purify conditions by letting it remain in corrupt hands?

My boy in knee breeches can answer those questions. And yet the taxpayers, indifferent to the ballot, seemingly assume that affairs of government in some miraculous way will right themselves. It is taking the American taxpayer a long time to realize that, under our system of government, if affairs of state are not being administered in the right way it is within their power, through the ballot to bring about the needed corrections and reforms.

Mr. Taxpayer, can you hope to improve conditions unless you actively participate in elections and thus create new conditions?

Qualify yourself to vote and then get on the firing line and stay there. Eternal vigilance is not only the price of liberty, it is the price of a clean government and a low tax rate.

Now, I have given you a pretty long prescription. Let me boil it down so you will remember it. Here it is: Every taxpayer a voter; if you please, a politician, not in the sense of an office-seeker but in the sense that he is interested in a frugal government impartially administered in the interest of all.

Let your slogan be: Every taxpayer a voter.

THE 5-DAY WEEK AND 6-HOUR DAY BILL

Mr. MUSSELWHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the 6-hour day bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MUSSELWHITE. Mr. Speaker, in answer to scores of inquiries from all over Michigan as to my stand on the 30-hour week bill introduced by Senator BLACK, permit me to state:

I am not opposed to the principle of the measure, but to the form in which it was presented. It was not, as originally offered, an administration bill, and if it is finally approved with the endorsement of the administration, it will have many modifications that may make it acceptable.

Surprise is expressed that I made reference to the canning industry as an example, in view of Senator VANDENBERG's amendment to the original bill. My statement was made before this amendment was submitted, with a full knowledge that under its terms the principal agricultural industries—and some others perhaps—of my district would be ruined.

I am in hopes that the measure, with the approval of the administration, will reach the House in some more palatable form; for, as I wish to emphasize, I am in full accord with the principle of the bill. Its application is just something else under present conditions.

I urge critics to withhold censure until they study provisions of the measure if or when it is submitted to the House. So far it is wholly a Senate measure, very drastic in its original form and already subjected to some modifications.

In my judgment, a 30-hour week in industry in interstate commerce under prevailing conditions would merely be another share-the-misery move unless it provided also minimum wages. It would drive pauper labor still lower. It would make American industry one vast sweatshop and drive many decent industries to the wall. It would reduce the mass market to the demand of coolies and the purse of slaves. It is the hard reality to which we are now headed unless wages and purchasing power can be stabilized at an American level, and that quickly.

The 30-hour week in industry will come; it must come. I favor it to the full extent of its practical application. But let us not get hysterical about it. It will inevitably come

through the workings of social progress, just as the 8-hour day was adopted—not by legislation, but largely in spite of it.

I have full confidence in the wise leadership of President Roosevelt and am firmly supporting his policies. He can save American industry. I am certain he will. I believe he is preparing to lead Congress in rewriting this 30-hour bill so as to protect industry, protect the worker, protect wages, to create buying power, to control production, and start business forward again.

In such heroic effort President Roosevelt will have the support not only of Congress but of the people.

I opposed, and still oppose, the measure as submitted by Senator BLACK, because it is my firm conviction that in that form it would injure rather than benefit labor.

I will support any measure for a shorter workday and work week that I can satisfy myself is fair to labor and industry. It can be done; it will be. But the Black Senate bill is not the solution.

LEAVE OF ABSENCE

Mr. GOLDSBOROUGH. Mr. Speaker, my colleague the gentleman from Maryland [Mr. GAMBRILL] is ill at the Naval Hospital. I ask unanimous consent that he be relieved from attendance until he recovers.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. AYRES of Kansas. Mr. Speaker, my colleague the gentleman from Kansas [Mr. MCGUGIN] is absent on account of important business. I ask that he be excused until further notice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be allowed to sit during the sessions of the House today and tomorrow.

Mr. JAMES. Mr. Speaker, reserving the right to object, and I do not intend to object, I hope it is not the intention of the chairman to have the committee sit beyond 5 or half past 5. I do not want any night sessions.

Mr. McSWAIN. I assure the gentleman from Michigan I am just as anxious as he to have supper, and shall cooperate to that extent.

Mr. JAMES. In other words, the gentleman will have no night sessions?

Mr. McSWAIN. The gentleman means night sessions of the committee?

Mr. JAMES. Night sessions of the committee, yes.

Mr. McSWAIN. Not tonight, anyway.

Mr. JAMES. I would like to have it understood there will be no night sessions at all.

Mr. McSWAIN. Very well; we will agree to that.

Mr. GOSS. Mr. Speaker, reserving the right to object, can the gentleman state when the bill will be reported? What is his desire now?

Mr. McSWAIN. My desire is that the committee authorize me to report the bill not later than tomorrow. That is the reason I have asked only for permission to sit during the sessions of the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

EXPORTATION OF ARMS AND MUNITIONS OF WAR

Mr. McREYNOLDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McREYNOLDS. My understanding is that the matter to be taken up first, the unfinished business before the House, is the vote on House Joint Resolution 93, to prohibit the exportation of arms or munitions of war from the United States under certain conditions.

The SPEAKER. The gentleman is correct. The previous question has been ordered on the resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. FISH. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FISH. I am, Mr. Speaker.

The SPEAKER. The gentleman is also a member of the committee?

Mr. FISH. Yes.

The Clerk read as follows:

Mr. FISH moves to recommit the bill to the Committee on Foreign Affairs with instructions to that committee to report the same back to the House forthwith with the following amendment:

At the end of the bill add a new section to be known as section 3 and to read as follows:

"Provided, That nothing in this resolution shall violate or authorize the President to violate the neutrality of the United States."

Mr. McREYNOLDS. Mr. Speaker, on that motion I move the previous question.

The previous question was ordered.

Mr. FISH. Mr. Speaker, I demand the yeas and nays on the motion to recommit.

The SPEAKER. All those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Fifty-four Members have risen, a sufficient number.

Mr. BLANTON. Mr. Speaker, I ask for the other side.

Mr. GOSS. Mr. Speaker, I make the point of order you cannot demand the other side at this time.

Mr. BLANTON. Oh, yes; the other side can be demanded, because 54 is not necessarily one fifth of the number present.

The SPEAKER. The Chair will count. [After counting.] Two hundred gentlemen are present, and 54 is a sufficient number to demand the yeas and nays.

The question was taken; and there were—yeas 114, nays 248, answered "present" 1, not voting, 67, as follows:

[Roll No. 13]

YEAS—114

Andrews, N.Y.	Ditter	Kinzer	Rogers, Mass.
Arens	Dockweiler	Knutson	Sadowski
Bacharach	Dondero	Kvale	Secrest
Bacon	Doutrich	Lambertson	Seger
Bakewell	Dunn	Lehlbach	Shoemaker
Beck	Eaton	Lehr	Simpson
Beedy	Eltee, Calif.	Lemke	Sinclair
Blanchard	Englebright	Luce	Stalker
Bolleau	Evans	Lundeen	Strong, Pa.
Bolton	Fish	McCormack	Swick
Britten	Focht	McLean	Taber
Burnham	Foss	McLeod	Taylor, Tenn.
Cannon, Wis.	Frear	Maloney, Conn.	Thurston
Carter, Calif.	Gilchrist	Mapes	Tinkham
Carter, Wyo.	Goodwin	Martin, Mass.	Tobey
Caviochia	Goss	Martin, Oreg.	Traeger
Chase	Granfield	Merritt	Treadway
Christianson	Griswold	Millard	Wadsworth
Church	Guyer	Monaghan	Welch
Clarke, N.Y.	Hancock, N.Y.	Mott	Whitley
Cochran, Pa.	Healey	Murdock	Wigglesworth
Collins, Calif.	Hoepfel	O'Malley	Withrow
Conner	Holmes	Parker, N.Y.	Wolfcott
Connolly	Hooper	Pettengill	Wolfenden
Crowther	Hope	Powers	Wolverton
Culkin	James	Ransley	Woodruff
Darrow	Johnson, Minn.	Reece	Young
De Priest	Kahn	Reed, N.Y.	
Dirksen	Kelly, Pa.	Rich	

NAYS—248

Abernethy	Buchanan	Cole	Doughton
Adair	Buck	Collins, Miss.	Doxey
Adams	Bulwinkle	Colmer	Driver
Allgood	Burke, Calif.	Condon	Duffey
Arnold	Burke, Nebr.	Cooper, Tenn.	Duncan, Mo.
Ayers, Mont.	Busby	Cravens	Durgan, Ind.
Ayres, Kans.	Cady	Crosby	Eagle
Bailey	Caldwell	Cross	Elcher
Berlin	Cannon, Mo.	Crosser	Elzey, Miss.
Biermann	Carden	Crowe	Faddis
Black	Carley	Crump	Farley
Bland	Carpenter, Kans.	Cullen	Fernandez
Blanton	Carpenter, Nebr.	Cummings	Fiesinger
Bloom	Cary	Deen	Fitzgibbons
Boehne	Castellow	Deaney	Fitzpatrick
Boylan	Celler	DeRouen	Flannagan
Brennan	Chapman	Dickinson	Fletcher
Briggs	Chavez	Dickstein	Ford
Brooks	Claborn	Dies	Foulkes
Brown, Ky.	Clark, N.C.	Dingell	Fuller
Brown, Mich.	Cochran, Mo.	Disney	Fulmer
Browning	Coffin	Dobbins	Gasque
Brunner	Colden		Gillespie

Gillette	Lanham	Parker, Ga.	Smith, Va.
Glover	Larrabee	Parks	Smith, Wash.
Goldsborough	Lee, Calif.	Parsons	Snyder
Gray	Lee, Mo.	Patman	Somers, N.Y.
Green	Lesinski	Peavey	Spence
Greenwood	Lewis, Colo.	Peterson	Strong, Tex.
Gregory	Lindsay	Peysner	Stubbs
Haines	Lloyd	Pierce	Studley
Hamilton	Lozier	Polk	Sullivan
Harter	Ludlow	Pou	Summers, Tex.
Hastings	McClintic	Prall	Sutphin
Henney	McDuffie	Ragon	Swank
Hildebrandt	McGrath	Ramsay	Tarver
Hill, Ala.	McKeown	Ramspeck	Taylor, Colo.
Hill, Knute	McMillan	Randolph	Taylor, S.C.
Hill, Sam B.	McReynolds	Rankin	Terrell
Howard	McSwain	Rayburn	Thom
Huddleston	Major	Reilly	Thomason, Tex.
Hughes	Maloney, La.	Richards	Thompson, Ill.
Imhoff	Mansfield	Richardson	Turner
Jacobsen	Marland	Robertson	Umstead
Jeffers	Martin, Colo.	Robinson	Utterback
Jenckes	May	Rogers, N.H.	Vinson, Ga.
Johnson, Okla.	Mead	Rogers, Okla.	Vinson, Ky.
Johnson, Tex.	Meeks	Romjue	Wallgren
Johnson, W.Va.	Miller	Rudd	Walter
Jones	Milligan	Ruffin	Warren
Kee	Mitchell	Sabath	Weaver
Keller	Montet	Sanders	Weideman
Kelly, Ill.	Morehead	Sandlin	Werner
Kemp	Musselwhite	Schaefer	West
Kenney	Nesbit	Schuetz	White
Kleberg	O'Brien	Schulte	Whittington
Kloeb	O'Connell	Scrugham	Wilcox
Kniffin	O'Connor	Sears	Williams
Kociakowski	Oliver, Ala.	Shallenberger	Wilson
Kopplemann	Oliver, N.Y.	Shannon	Wood, Ga.
Kramer	Owen	Sirovich	Wood, Mo.
Lamneck	Palmisano	Sisson	Woodrum

ANSWERED "PRESENT"—1

Byrns

NOT VOTING—67

Allen	Douglass	Jenkins	Norton
Almon	Dowell	Kennedy, Md.	Perkins
Andrew, Mass.	Drewry	Kennedy, N.Y.	Reid, Ill.
Auf der Heide	Edmonds	Kerr	Smith, W.Va.
Bankhead	Gambrill	Kurtz	Snell
Beam	Gavagan	Lambeth	Steagall
Beiter	Gibson	Lanzetta	Stokes
Boland	Gifford	Lewis, Md.	Sweeney
Brand	Griffin	McCarthy	Truax
Brumm	Hancock, N.C.	McFadden	Turpin
Buckbee	Harlan	McFarlane	Underwood
Burch	Hart	McGugin	Waldron
Cartwright	Hartley	Marshall	Watson
Cooper, Ohio	Hess	Montague	Wearin
Corning	Higgins	Moran	Willford
Cox	Hoidale	Moynihan	Zioncheck
Dear	Hollister	Muldowney	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gibson (for) with Mr. Willford (against).
 Mr. Snell (for) with Mr. Byrns (against).
 Mr. McFadden (for) with Mr. Steagall (against).
 Mr. Hartley (for) with Mr. Gavagan (against).
 Mr. Hess (for) with Mr. Beiter (against).
 Mr. Higgins (for) with Mr. Douglass (against).
 Mr. McGugin (for) with Mr. Griffin (against).
 Mr. Perkins (for) with Mrs. Norton (against).
 Mr. Watson (for) with Mr. Corning (against).
 Mr. Cooper of Ohio (for) with Mr. Harlan (against).
 Mr. Edmunds (for) with Mr. Drewry (against).
 Mr. Jenkins (for) with Mr. Lewis of Maryland (against).
 Mr. Hollister (for) with Mr. Gambrill (against).
 Mr. Marshall (for) with Mr. Lambeth (against).
 Mr. Buckbee (for) with Mr. Burch (against).
 Mr. Brumm (for) with Mr. McFarlane (against).
 Mr. Reid of Illinois (for) with Mr. Kennedy of New York (against).
 Mr. Waldron (for) with Mr. Beam (against).
 Mr. Allen (for) with Mr. Underwood (against).
 Mr. Muldowney (for) with Mr. Boland (against).
 Mr. Kurtz (for) with Mr. Cox (against).
 Mr. Turpin (for) with Mr. Dear (against).
 Mr. Stokes (for) with Mr. Hancock of North Carolina (against).
 Mr. Moynihan (for) with Mr. Lanzetta (against).

Until further notice:

Mr. Auf der Heide with Mr. Andrew of Massachusetts.
 Mr. Bankhead with Mr. Dowell.
 Mr. Swank with Mr. Gifford.
 Mr. Hart with Mr. Kennedy of Maryland.
 Mr. Kerr with Mr. Montague.
 Mr. Brand with Mr. Moran.
 Mr. Sweeney with Mr. Zioncheck.
 Mr. Cartwright with Mrs. McCarthy.
 Mr. Smith of West Virginia with Mr. Wearin.
 Mr. Hoidale with Mr. Truax.

Mr. IMHOFF. Mr. Speaker, the gentleman from Ohio, Mr. UNDERWOOD, is unavoidably detained. If present, he would vote "no."

Mr. BYRNS. Mr. Speaker, I have a pair with the minority leader, the gentleman from New York, Mr. SNELL, who is unavoidably absent today. On this vote I voted "no." If the gentleman from New York were present, he would vote "aye." I therefore withdraw my vote and answer "present."

Mr. WIGGLESWORTH. Mr. Speaker, my colleague the gentleman from Massachusetts, Mr. GIFFORD, is ill and therefore unable to be present. He desires me to announce that if he were present he would vote "aye."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. McREYNOLDS. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and therewere—yeas 254, nays 109, answered "present" 2, not voting 65, as follows:

[Roll No. 14]

YEAS—254

Abernethy	Dies	Kopplemann	Richards
Adair	Dingell	Kramer	Richardson
Adams	Disney	Kvale	Robertson
Allgood	Dobbins	Lamneck	Robinson
Andrew, Mass.	Doughton	Lanham	Rogers, N.H.
Arnold	Doxey	Lanzetta	Rogers, Okla.
Ayers, Mont.	Driver	Larrabee	Romjue
Ayres, Kans.	Duncan, Mo.	Lee, Calif.	Rudd
Balley	Durgan, Ind.	Lee, Mo.	Ruffin
Berlin	Eagle	Lewis, Colo.	Sabath
Biermann	Eicher	Lindsay	Sadowski
Black	Ellzey, Miss.	Lloyd	Sanders
Bland	Faddis	Lozier	Sandlin
Blanton	Farley	Luce	Schaefer
Bloom	Fernandez	Ludlow	Schuetz
Boehne	Fiesinger	McCarthy	Schulte
Boylan	Fitzgibbons	McClintic	Sears
Brennan	Fitzpatrick	McCormack	Shallenberger
Briggs	Flannagan	McFarlane	Shannon
Brooks	Fletcher	McGrath	Sirovich
Brown, Ky.	Ford	McKeown	Sisson
Brown, Mich.	Foulkes	McMillan	Smith, Va.
Browning	Frear	McReynolds	Smith, Wash.
Brunner	Fuller	Major	Snyder
Buchanan	Fulmer	Maloney, La.	Somers, N.Y.
Buck	Gasque	Mansfield	Spence
Bulwinkle	Gilchrist	Martin, Colo.	Strong, Pa.
Burke, Calif.	Gillespie	May	Strong, Tex.
Burke, Nebr.	Gillette	Mead	Stubbs
Busby	Glover	Meeks	Studley
Cady	Goldsborough	Milligan	Sullivan
Caldwell	Gray	Mitchell	Sumners, Tex.
Cannon, Mo.	Green	Montet	Sutphin
Carden	Greenwood	Moran	Swank
Carley	Gregory	Morehead	Tarver
Carpenter, Kans.	Griswold	Musselwhite	Taylor, Colo.
Carpenter, Nebr.	Haines	Nesbit	Terrell
Cary	Hamilton	O'Brien	Thom
Castellow	Harter	O'Connell	Thomason, Tex.
Celler	Hastings	O'Connor	Thompson, Ill.
Chapman	Henney	Oliver, Ala.	Turner
Chavez	Hildebrandt	Oliver, N.Y.	Umstead
Clark, N.C.	Hill, Ala.	Owen	Utterback
Cochran, Mo.	Hill, Knute	Palmisano	Vinson, Ga.
Coffin	Hill, Sam B.	Parker, Ga.	Vinson, Ky.
Colden	Howard	Parks	Wallgren
Cole	Huddleston	Parsons	Walter
Collins, Miss.	Hughes	Patman	Warren
Colmer	Imhoff	Peavey	Weaver
Cooper, Tenn.	Jacobsen	Peterson	Weideman
Cravens	Jeffers	Peyser	Werner
Crosby	Jenckes	Pierce	West
Cross	Johnson, Okla.	Folk	White
Crosser	Johnson, Tex.	Pou	Whittington
Crowe	Johnson, W.Va.	Prall	Wilcox
Crump	Jones	Ragon	Willford
Cullen	Kee	Ramsay	Williams
Cummings	Keller	Ramspeck	Wilson
Darden	Kemp	Randolph	Wolverton
Deen	Kenney	Rankin	Wood, Ga.
Delaney	Kleberg	Rayburn	Wood, Mo.
DeRouen	Kloeb	Reed, N.Y.	Woodrum
Dickinson	Kniffin	Reilly	
Dickstein	Kociakowski	Rich	

NAYS—109

Andrews, N.Y.	Cannon, Wis.	Connery	Eaton
Arens	Carter, Calif.	Connolly	Elitsee, Calif.
Bacharach	Carter, Wyo.	Crowther	Englebright
Bacon	Cavichia	Culkin	Evans
Bakewell	Chase	Darrow	Fish
Beck	Christianson	De Priest	Foss
Beedy	Church	Dirksen	Gibson
Blanchard	Claiborne	Ditter	Goodwin
Boileau	Clarke, N.Y.	Dockweiler	Goss
Bolton	Cochran, Pa.	Dondero	Granfield
Britten	Collins, Calif.	Doutrich	Guyer
Burnham	Condon	Duffey	Hancock, N.Y.

Healey	Lemke	Pettengill	Tinkham
Hoeppel	Lundeen	Powers	Tobey
Holmes	McLean	Ransley	Traeger
Hooper	McLeod	Reece	Treadway
Hope	Maloney, Conn.	Rogers, Mass.	Wadsworth
James	Mapes	Secrest	Welch
Johnson, Minn.	Marland	Seger	Whitley
Kahn	Martin, Mass.	Shoemaker	Wigglesworth
Kelly, Ill.	Martin, Oreg.	Simpson	Withrow
Kelly, Pa.	Merritt	Sinclair	Wolcott
Kinzer	Millard	Stalker	Wolfenden
Knutson	Monaghan	Swick	Woodruff
Kurtz	Mott	Taber	Young
Lambertson	Murdock	Taylor, S.C.	
Lehlbach	O'Malley	Taylor, Tenn.	
Lehr	Parker, N.Y.	Thurston	

ANSWERED "PRESENT"—2

Byrns Dunn

NOT VOTING—65

Allen	Dowell	Kennedy, Md.	Reid, Ill.
Almon	Drewry	Kennedy, N.Y.	Scrugham
Auf der Heide	Edmonds	Kerr	Smith, W.Va.
Bankhead	Focht	Lambeth	Snell
Beam	Gambrill	Lesinski	Steagall
Beiter	Gavagan	Lewis, Md.	Stokes
Boland	Gifford	McDuffie	Sweeney
Brand	Griffin	McFadden	Truax
Brumm	Hancock, N.C.	McGugin	Turpin
Buckbee	Harlan	McSwain	Underwood
Burch	Hart	Marshall	Waldron
Cartwright	Hartley	Miller	Watson
Cooper, Ohio	Hess	Montague	Wearin
Corning	Higgins	Moynihan	Zioncheck
Cox	Holdale	Muldowney	
Dear	Hollister	Norton	
Douglass	Jenkins	Perkins	

So, the bill was passed.

The following pairs were announced:

Mr. Byrns (for) with Mr. Snell (against).
 Mr. Steagall (for) with Mr. McFadden (against).
 Mr. Gavagan (for) with Mr. Hartley (against).
 Mr. Beiter (for) with Mr. Hess (against).
 Mr. Griffin (for) with Mr. Higgins (against).
 Mr. Douglass (for) with Mr. McGugin (against).
 Mrs. Norton (for) with Mr. Perkins (against).
 Mr. Corning (for) with Mr. Watson (against).
 Mr. Harlan (for) with Mr. Cooper of Ohio (against).
 Mr. Drewry (for) with Mr. Edmonds (against).
 Mr. Lewis of Maryland (for) with Mr. Jenkins (against).
 Mr. Gambrill (for) with Mr. Hollister (against).
 Mr. Lambeth (for) with Mr. Marshall (against).
 Mr. Burch (for) with Mr. Buckbee (against).
 Mr. Kennedy of New York (for) with Mr. Allen (against).
 Mr. Underwood (for) with Mr. Brumm (against).
 Mr. Boland (for) with Mr. Muldowney (against).
 Mr. Dear (for) with Mr. Turpin (against).
 Mr. Hancock of North Carolina (for) with Mr. Stokes (against).
 Mr. Auf der Heide (for) with Mr. Moynihan (against).
 Mr. Cox (for) with Mr. Focht (against).
 Mr. Lesinski (for) with Mr. Reid of Illinois (against).
 Mr. Kerr (for) with Mr. Waldron (against).

Additional general pairs:

Mr. Bankhead with Mr. Dowell.
 Mr. McDuffie with Mr. Gifford.
 Mr. Montague with Mr. Kennedy of Maryland.
 Mr. Cannon of Missouri with Mr. Cartwright.
 Mr. Beam with Mr. Almon.

Mr. BYRNS. Mr. Speaker, I voted aye. I have a pair with the gentleman from New York, Mr. SNELL. I therefore withdraw my vote and answer "present." If Mr. SNELL were present, he would vote "no."

Mr. IMHOFF. Mr. Speaker, my colleague, Mr. UNDERWOOD, of Ohio, is unavoidably detained. If present, he would vote "aye."

Mr. BOYLAN. Mr. Speaker, the gentlewoman from New Jersey, Mrs. NORTON, is unavoidably absent. If present, she would be recorded in favor of the proposition.

The result of the vote was announced as above recorded.

On motion of Mr. McREYNOLDS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ARMS EMBARGO—EXTENSION OF REMARKS

(Mr. ZIONCHECK asked and was given permission to extend his remarks in the RECORD.)

Mr. ZIONCHECK. Mr. Speaker, due to an unavoidable delay, I was unable to be present when the vote was taken on the so-called "embargo bill." Had I been present I would have voted in the negative. Never before has any measure caused me so much difficulty in deciding which way to vote. I have listened to all the speakers on both sides of the question, and, after carefully rereading their argu-

ments in the RECORD, I am convinced that neither side was absolutely frank and open in its discussion.

I am not unmindful of the fact that it was stated that many pacifist organizations came before the Committee on Foreign Affairs advocating the bill's passage and that the opponents of the bill before the committee largely consisted of representatives of munition manufacturers and airplane companies. I must confess that usually I would vote contrary to the wishes and desires of such interests, but, nevertheless, I recognize that even they in their greed for immediate profits might be looking at the matter from a short-sighted standpoint, as they have done so many times in the past.

The particular provision in this bill to which I object is that which allows the President, after cooperating with other governments, to determine which nation is the aggressor of a war then existing and to declare an embargo against the sending of munitions or arms to the aggressor nation. This seems to me to be a rather dangerous interference in foreign troubles and is liable to involve the United States, by reason of such action, in another foreign war. Under the present so-called "pacific reprisal concept" of international law and relationships it is difficult to determine which nation is the aggressor, and it is my understanding that there is an honest difference of opinion at this late date as to which nations were the aggressors in the last World War. It seems to me that it is a matter of betting on a horse race and taking the chances of betting on the wrong horse.

I can understand that many people with idealistic concepts feel that this embargo act is a partial step toward a world peace, but it is my sincere belief that they fail to recognize the impossibility of world cooperation under our competitive scheme of things in anything but warfare. It is my belief that if these people analyze the developments of the last 100 years in particular this truth would become self-evident. They seem to fail to recognize that the causes for present-day wars are prompted by a struggle for world markets and for the protection of foreign investments abroad. There is no one who would like to see world peace more than I, but I am satisfied that this measure will only lead to turmoil, strife, and warfare, no matter how carefully and cautiously it is exercised. I would have no hesitation in voting for this measure if it gave the President power to declare an absolute embargo on the shipment of arms and munitions in the event of a foreign war. That would be a forward step. I would further like to see a measure that would nationalize all industries which make arms and munitions, for such a measure, if passed, would give the President of the United States absolute control over the disposition of the products of these industries.

Until we come to a more equitable and cooperative way of living and letting live, both individually and collectively, it is my belief that we should adhere to the philosophy announced by Washington and Jefferson. I am particularly impressed with this philosophy, due to our geographical location, and feel that for the time being we must work upon a basis of a national self-contained economy as far as it is practicable, and studiously avoid any foreign entanglements whatsoever.

Our President has made no request for the passage of this bill—it is not a part of his emergency program—therefore, I feel absolutely free to take the position I now take and feel compelled to do so in my representative capacity.

CROP-PRODUCTION LOANS

Mr. JONES. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H.J.Res. 135) to amend section 2 of the act approved February 4, 1933, to provide for loans to farmers for crop production and harvesting during the year 1933, and for other purposes.

The Clerk read the joint resolution, as follows:

House Joint Resolution 135

Resolved, etc., That section 2 of the act of February 4, 1933 (Public, No. 327), be, and the same is hereby, amended by adding at the end of the first sentence thereof the words: "and in the case of summer fallowing or winter wheat, a first lien, or an agree-

ment to give a first lien on crops to be harvested in 1934, shall, in the discretion of the Secretary of Agriculture, be deemed sufficient security."

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Reserving the right to object, I understand this is to correct a law that was passed last February and to provide that the Government shall have a lien on crops planted this year and harvested next?

Mr. JONES. Yes; and without this provision, in the case of fallowing, they would have no security at all.

Mr. MARTIN of Massachusetts. Is it a unanimous report from the Agricultural Committee?

Mr. JONES. It is a unanimous report.

Mr. HASTINGS. Mr. Speaker, reserving the right to object, I want to ask the gentleman if the committee has given consideration to amending the law so as to permit tenants to mortgage their interest in their several crops. I think it was a mistake, when the bill was originally passed, not to have incorporated such a provision in it.

Here is the situation as it affects my district in Oklahoma, and for that matter, the entire country: The Department of Agriculture is now requiring a waiver on the part of the landlord of his lien. Under the law in Oklahoma the tenant farmer can mortgage his interest in the crop. That provision ought to have been incorporated in the original bill. The Department of Agriculture construes it otherwise and insists on the waiver of the landlord's lien. I understand that in practically all cases the Department of Agriculture has required the landlord to waive his interest.

In many sections of the country much of the land is held in foreign ownership and is occupied and tilled by tenant farmers. It is estimated that in certain counties in my State 65 percent of the land is not occupied by the owners. That means, of course, that the Department of Agriculture declines and refuses to make crop loans to the tenant farmers on their interest in the crop unless and until the tenants get waivers from the landlords of their liens. Many of these landlords live outside of the State and some of them live long distances away. In effect this is a denial to tenant farmers of any opportunity to take advantage of the act of Congress providing for crop loans to farmers. The tenant farmers can go to the local banks or supply houses and, under the law in Oklahoma, mortgage their interests in their crops. That provision ought to have been incorporated in the original act when it was enacted.

I am not going to object now to the request from the Chairman of the House Committee on Agriculture [Mr. JONES] but do rise to protest against the rules and regulations adopted by the Department of Agriculture. The Department places the blame upon Congress but in my judgment the act was capable of interpretation which would have permitted tenant farmers to mortgage their interest in their crops without obtaining waivers of the landlords' liens.

I am not going to object now but serve notice that if this bill is brought up in the House at any future time, if I am a Member at the time I shall insist upon an amendment's being placed in the law making it clear that the landlord is not required to waive his lien. No tenant farmer can take advantage of this crop loan law who has an absentee landlord.

I am submitting herewith a letter from the crop production loan division of the Department of Agriculture, showing that the interpretation placed upon this law is as I have stated:

THE SECRETARY OF AGRICULTURE,
CROP PRODUCTION AND FARMERS' SEED LOANS,
Washington, D.C., April 11, 1933.

Hon. W. W. HASTINGS,
House of Representatives.

DEAR MR. HASTINGS: With reference to your telephone inquiry as to landlord waivers on crop-production loans, the only case in which we do not require a first lien on the entire crop, including a waiver from the landlord, is with reference to crops on which no part of the Government loan is used. If any of the money advanced by the Secretary of Agriculture is used for the production of a crop on the borrower's farm we then require a first lien, including waivers from holders of prior mortgages or waivers from the landlord if the borrower is a tenant. In certain sections where winter wheat is an important crop and we are now making loans

for spring-planted crops, we are including winter wheat in our mortgage as additional security, although we are not in any way financing the production of winter wheat. On this winter wheat included as additional security we are not requiring a waiver from the landlord. In western Kansas, for instance, loans made this spring would be used for the planting of corn, sorghums, and other spring-planted crops which in themselves do not provide sufficient security for a loan. We require a first lien on these crops, including waivers from landlords or holders of prior mortgages, but in addition to a mortgage on these crops we ask the borrower to give us a lien on any winter wheat he may have. This usually is a second lien, the landlord's rights or those of other mortgages being prior to ours so far as wheat is concerned. The situation with reference to this winter wheat is quite different from that with reference to cotton or any other spring planted crops which are being financed with the Government loan.

Very truly yours,

C. W. WARBURTON,
In Charge of Crop Production Loans.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider laid on the table.

IMPEACHMENT OF JUDGE LOUDERBACK

Mr. SUMNERS of Texas. Mr. Speaker, I call up a privileged matter, which I send to the desk and ask to have read.

The Clerk read as follows:

AMENDMENT TO ARTICLE 5 OF THE ARTICLES OF IMPEACHMENT BY THE HOUSE OF REPRESENTATIVES EXHIBITED AGAINST HAROLD LOUDERBACK, JUDGE OF THE UNITED STATES IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

Article 5 is amended to read as follows:

"Article 5

"It is intended by article 5 to charge, and it is charged, that the reasonable and probable result of Harold Louderback's action in his capacity as judge in making decisions and orders in actions pending in his court and before him as said judge and by the method of appointing receivers and attorneys for receivers, by appointing incompetent receivers and attorneys, by his relationship and transactions with one Sam Leake, and by the relationship and transactions of the said Sam Leake with such appointees of the said respondent made possible and probable by the action and attitude of the said Harold Louderback, and by displaying a high degree of indifference to the interest of estates and parties in interest in receiverships before him and his court, and by displaying a high degree of interest in making it possible for certain individuals and firms to derive large fees from the funds of such estates, has been to create a general condition of wide-spread fear and distrust and disbelief in the fairness and disinterestedness of the official actions of the said Harold Louderback, and to create by his said acts, deeds, and relationships, contrary to his individual and official duty, a favorable condition and a cause for the development naturally and inevitably of rumors and suspicions destructive of public confidence in and respect for the said Harold Louderback as an individual and a judge to the scandal and disrepute of his said court and the administration of justice therein and prejudicial generally to the public respect for and public confidence in the Federal judiciary. Wherefore, the said Harold Louderback was and is guilty of misbehavior as such judge and of misdemeanors in office.

"It is hereby alleged and charged that the conduct of said Harold Louderback, as alleged in articles 1, 2, 3, and 4, and as hereinafter alleged, in its general and aggregate result has been such as reasonably and probably calculated to destroy public confidence insofar as he and his court are concerned in that degree of disinterestedness and fidelity to judicial duty and responsibility which the public interest requires shall be held by the people in the Federal courts and in those who administer them, and which for a Federal judge to hurt or destroy is a crime and misdemeanor of the highest order;

"First, specifying as indicative of and disclosing the character and judicial attitude of said Harold Louderback revealed by his acts and official conduct to the people among whom he has jurisdiction, and the cause for the loss of public confidence of the bar and people of the northern district of California and particularly of the city of San Francisco, where the principal business of such court is transacted, on or about December 19, 1929, the said Harold Louderback appointed one Guy H. Gilbert receiver of the Sonora Phonograph Co., a going concern extensively engaged in the business of receiving and distributing radios and phonographs, the said Guy H. Gilbert being a personal and political friend of the said Harold Louderback, and an intimate friend and financial contributor to one Sam Leake, hereinafter referred to, the said Harold Louderback knowing at the time of such appointment that the whole training and experience of the said Guy H. Gilbert had been as operator and employee of a telegraph company, and the said Harold Louderback at the time of such appointment knowing with certainty that the said Guy H. Gilbert was without qualification to discharge the duties of such receivership, that the said Guy H. Gilbert was appointed such receiver by the said Harold Louderback without regard to the interest of such

estate in receivership and in disregard thereof and of the interest of creditors and parties in interest and in violation of the official duty of the said Harold Louderback. That the said Gilbert after said appointment continued in his regular and usual duties and employment as employee of said telegraph company, drawing his accustomed salary during his employment of approximately 6 months as such receiver and received for such services from the funds of the estate of said Sonora Phonograph Co. the sum of \$6,800, all of which facts became the subject of newspaper comments and matters of common knowledge throughout and beyond the northern judicial district of California, to the hurt of public confidence in the said Harold Louderback, judge of said court, and to the hurt and standing of the Federal judiciary. It also became a matter of newspaper comment in connection with that receivership matter and others, that theretofore, about 1925 or 1926, the said Gilbert had been appointed by the said Harold Louderback when the said Harold Louderback was a judge of the Superior Court of California, an appraiser of certain real estate, the said Harold Louderback well knowing at the time of such appointment that the said Gilbert was without any qualification to appraise the value of such real estate, and in truth the said Gilbert never saw said real estate and that the said Gilbert did not undertake to assist in the appraisal of said real estate, only signing the report which was presented to him, for which services he was allowed the sum of \$500.

"The said Gilbert was also theretofore appointed receiver by Harold Louderback in the Stempel-Cooly case in 1929, bankruptcy, collecting during 3 or 4 months \$12,000 rents for which he was allowed a fee of \$500. In this matter, after conversation with the said Sam Leake, the said Gilbert appointed as his attorney one John Douglas Short who was an employee in the law office of Erskine & Erskine.

"The said Short was afterward, in March 1931, appointed attorney by one H. B. Hunter, receiver in what is known in this proceeding as the Russell Colvin Co. case, and which will hereinafter be specified with reference to. In the said Russell Colvin case the said H. B. Hunter, having been appointed such receiver by the said Harold Louderback, at the suggestion of the said Sam Leake, who theretofore had suggested to the said Gilbert the appointment of the said John Douglas Short in the Stempel-Cooly case, and the said H. B. Hunter, after his appointment as such receiver, appointed the said John Douglas Short as his attorney in said Russell Colvin case, the said Harold Louderback allowing the said John Douglas Short the sum of \$50,000 on account as attorney for said receiver, H. B. Hunter.

"Preceding the appointment of the said H. B. Hunter in the said Russell Colvin case the said Harold Louderback had appointed one Addison G. Strong to be receiver therein, who, because he would not designate as his attorney the said John Douglas Short, as claimed by the said Addison G. Strong, or either the said John Douglas Short or certain other attorneys, as claimed by the said Harold Louderback, the said Addison G. Strong was summarily dismissed as receiver and the said Hunter appointed in his stead, who, on the same day of his said appointment as receiver by the said Harold Louderback, tendered to the said John Douglas Short the attorneyship in said receivership matter.

"On the 25th day of March 1931 one W. L. Hathaway, father-in-law of the said John Douglas Short, advanced as a loan to the said Sam Leake the sum of \$1,000 in cash, and two days thereafter the said John Douglas Short in an involved family transaction paid to the said W. L. Hathaway, from the compensation received as attorney in the Russell Colvin Co. matter, the sum of \$5,000. Three months later the said Hathaway gave to the said Leake the further sum of \$250.

"When the said Harold Louderback appointed the said H. B. Hunter, as aforesaid, receiver in the said Russell Colvin Co. case at the suggestion of the said Sam Leake, and the said Hunter in turn appointed the said John Douglas Short attorney for him in the Russell Colvin Co. case, he, the said Harold Louderback, resided at the Fairmont Hotel in a room registered and held in the name of the said Sam Leake, such arrangement being effected in conspiracy between the said Harold Louderback and Sam Leake to aid the said Harold Louderback in carrying out a certain plan and design, the said Harold Louderback pretending to reside in Contra Costa County, while actually and in fact residing in the city of San Francisco at the Fairmont Hotel in a room registered in the name of the said Sam Leake, the purpose and design of which arrangement having to do with the possible venue of a legal action which the said Harold Louderback contemplated might be brought against him. To further strengthen and add color to this pretended residence in Contra Costa County the said Harold Louderback registered as a voter in said Contra Costa County in violation of the laws of California, all of which transactions by the acts and conduct of the said Harold Louderback are involved in and mixed up with the official status and standing and transactions of the said Harold Louderback and are known to the people of the northern district of California and beyond such district to the disgrace and discredit of his office and to the hurt of public confidence therein and of the Federal judiciary. Thereby, as a result of such transactions, putting himself under obligation to, dependent upon, and under the influence of the said Sam Leake in a manner and to a degree utterly inconsistent with that required by the public interest of a Federal judge, and thereby putting himself, the said Harold Louderback, in an attitude with regard to obedience to law and the rights granted to litigants by the law and with regard to the standards of open candid conduct necessary to preserve for the public official that respect and confidence required by the public interest within the

meaning of the provision of the Constitution requiring of Federal judges good behavior as a condition upon which their tenure of office depends. That said conduct is bad behavior and constitutes a forfeiture of the right of the said Harold Louderback to hold his the said office of judge of the northern district of California.

"In August 1931 the said Harold Louderback, without a hearing, upon a petition verified by an attorney 'upon information and belief' and without bond of indemnity, granted an equity receivership for the Prudential Holding Co., a concern engaged in extensive real-estate transactions, and appointed the said Guy H. Gilbert as receiver, who in turn designated Dinkelspiel & Dinkelspiel as his attorneys. The first information the company had of the matter was when Gilbert and Dinkelspiel & Dinkelspiel appeared in the office of said Prudential Holding Co. to take charge of its affairs. The petition filed without truth or justification was resisted by said Prudential Holding Co., but the said Harold Louderback refused to dismiss the equity receivership matter until an application for receivership in bankruptcy was applied for, which application was based upon the grounds of the said equity receivership, wrongfully entertained. The bankruptcy matter fell in the division of Judge St. Sure, one of the judges of the said northern district of California. During the temporary absence of Judge St. Sure the said Harold Louderback, sitting in Judge St. Sure's division, named the said Gilbert and Dinkelspiel & Dinkelspiel receiver and attorneys, respectively, in the bankruptcy matter, and 2 days later dismissed the equity receivership. Upon the return of Judge St. Sure to his division, he, Judge St. Sure, promptly dismissed the bankruptcy proceeding because no insolvency was shown. No fees were allowed by Judge St. Sure.

"The proceedings in the matter and the facts, transactions, and statements therein became a matter of general knowledge within and beyond the said northern district of California, with its reasonable and probable and inevitable consequence to arouse dread and apprehension of the court and judicial power possessed by the said Harold Louderback on the part of the people generally, and particularly of those whose property might be seized upon through the instrumentality of such court, and generally to make said court disrespected and hateful. The said Dinkelspiel & Dinkelspiel had theretofore and over the protest of the parties in interest on the ground that it was excessive been allowed a fee of \$20,000 by the said Harold Louderback in the Sonora Phonograph Co. case, in which case they had also been associated with the said Gilbert, appointed by the said Harold Louderback as receiver therein.

"Some 6 months after the appointment of the said Gilbert & Dinkelspiel & Dinkelspiel as receiver and attorneys, respectively, in the said Prudential Holding Co. case, to wit, on the 17th day of February 1932, they were appointed by the said Harold Louderback receiver and attorneys, respectively, in the Fageol Motors Co. case. This company was known in the said northern district of California as one of the more important concerns in that part of the country. It had assets of \$3,000,000 book value and liabilities amounting to \$1,700,000, with automobile manufacturing, assembling, plants, branch offices, properties, and extensive operations in California, Washington, Oregon, and Utah. The said Harold Louderback knew and the people of that community knew at the time the said Guy H. Gilbert was appointed as receiver of said Fageol Motors Co. that the said Guy H. Gilbert was utterly without qualifications to discharge the duties of said receivership. That said appointment of said Gilbert and said Dinkelspiel & Dinkelspiel was made in tyrannical and oppressive disregard of the rights and interest of the parties in interest, of the duty to conserve the assets of said company, and in disregard of his duty by the said Harold Louderback to the Government which had commissioned him to be one of its judges. That the facts and circumstances surrounding the appointment of the said Gilbert as receiver and the said Dinkelspiel & Dinkelspiel attorneys in said receivership matter and the method of procedure therein on the part of the said Harold Louderback inevitably as a necessary consequence were prejudicial to the judiciary and was to the scandal and disrepute of the court presided over by the said Harold Louderback and to the administration of justice therein, in that the said Fageol Motors Co. getting into financial difficulty the principal creditors of said company and the representatives of said Fageol Motors Co., after full conference and consideration, decided by agreement to apply to the Federal court for a receivership, and after careful consideration agreed upon Edward Fuller, of Oakland, a former official of the Chevrolet Motor Co., with extensive experience and demonstrated business and financial ability not only in the automobile business but in other matters of large proportions. Pursuant to said agreement, on the 17th day of February 1932, the papers were all prepared carrying out the plan agreed upon by Fageol Motors Co. and its creditors and the petition for receiver was filed in the Federal court of the northern district of California. By plan of assignment, determined by drawing numbers from a bag, this matter fell to the said Judge Louderback, there being three judges of said district. The parties in interest, representatives of the company and of the principal creditors, went to his chambers to see the said Judge Louderback with the papers in said matter, arriving shortly before the time for the noon recess of his court, but were advised by the clerk of the said judge that the noon recess would be delayed until 12:30, the said clerk asking what it was desired to see the judge about, and was told that it was the receivership matter of the Fageol Motors Co.; that the persons present represented the company and the larger creditors of said company; and that they had agreed upon Edward Fuller as a proper person for receiver, and to advise the judge of that fact, and that it was desired to discuss the matter with him

at 1:30 p.m. At that time the parties in interest returned to see Judge Louderback and were told that Judge Louderback had got off for lunch earlier than anticipated, had some engagement, and would not return until 2:30. At 2:30 the parties in interest returned and were told by the clerk of the said Harold Louderback that Judge Louderback had already appointed the said Gilbert in said matter and that Judge Louderback was not there. In this matter the said Dinkelspiel & Dinkelspiel were also appointed attorneys for said receiver. The parties in interest, under threat of going into bankruptcy, which action would probably have ousted the said Gilbert and Dinkelspiel & Dinkelspiel entirely, effected an agreement with the said Gilbert and Dinkelspiel & Dinkelspiel by which other representatives chosen by the said parties in interest were to have effective control of the business and legal matters of the said motors company, the said Gilbert and Dinkelspiel & Dinkelspiel offering no obstruction to said representatives. The said Dinkelspiel & Dinkelspiel accepted under the circumstances from the assets of said company the sum of \$6,000 and the said Gilbert received approximately the same amount. The facts and circumstances connected with this matter show to the people of said district that the said Gilbert and Dinkelspiel & Dinkelspiel were not selected by the said Harold Louderback primarily because he deemed the said Gilbert and Dinkelspiel & Dinkelspiel best qualified to administer said estate, but resulted in large degree from the desire of the said Harold Louderback to procure for the said Gilbert and Dinkelspiel pecuniary benefits from the assets of this concern, which had been driven by financial difficulty to seek the protection of the court of the said Harold Louderback, all of which facts and circumstances received general publicity in the said northern district of California, to the scandal and disrepute of the court of said district, and when taken in connection with the explanation and excuse offered by the said Harold Louderback for the appointment of the said Gilbert as receiver in this matter and in other matters where the public knew the said Gilbert was utterly unqualified that he, the said Harold Louderback, in so appointing the said Gilbert, was acting under the control of a sense of judicial responsibility requiring him to appoint persons known to him of efficiency and integrity to manage the affairs of estates in receivership, which explanation and excuse also has been given wide publicity in said district, the reasonable and necessary and inevitable result of the claim of such high motive under the circumstances was to create the impression and public belief that the said Harold Louderback was attempting by such claim to hide his lack of such actuating motive and to hide his real motive for making such appointments by an insincere and hypocritical claim of having been actuated by them, to the disgust and humiliation of the people of the northern district of California and to the hurt of the public interest.

"In September 1930, in the court of the said Harold Louderback, an equity receivership petition was filed in the Golden State Asparagus case seeking an economical conduct of the business while its obligations were being adjusted. When the receiver was appointed the said Harold Louderback agreed to submit to said receiver a list of attorneys from which he could name his counsel, but the list was not furnished. Instead the said Harold Louderback designated as attorney for said receiver the said Dinkelspiel & Dinkelspiel without reference to the receiver. The legal work connected with the conduct of the receivership was not appreciably more difficult or voluminous than that incident to the ordinary running of the business, which had theretofore cost the business less than \$1,000 per year. The said Harold Louderback allowed the said Dinkelspiel & Dinkelspiel \$14,000 on account, while he denied the uncontested application for \$1,500 each, reasonable fees, made by the attorneys for plaintiff and defendant who had performed the only substantial legal services rendered in the case when they prevented a forced sale of the property. These attorneys, in an effort to protect the assets of the said Asparagus Co. had opposed the payment of the fees allowed to Dinkelspiel & Dinkelspiel on the ground that they were excessive. These acts of said Harold Louderback were well known to the public in and beyond said northern district of California and cumulatively added to the disrespect, apprehension, and public contempt.

"In the Lumbermen's Reciprocal Association equity receivership, a Texas insurance corporation doing business in California, the company getting into financial difficulty, the insurance commissioner for the State of California seized the assets of said company in the State of California for the benefit of California policyholders. It was determined as a matter of procedure to ask for an equity receivership with the plan that said insurance commissioner be appointed so as to permit him to continue to hold said assets and administer them without extra cost for a receiver and resultant diminution of the company's California assets. Instead, however, the said Harold Louderback designated one Samuel Shortridge, Jr., as receiver. Thereupon the official of the State of California took proper steps to terminate proceedings in the Federal court. The said Harold Louderback enjoined the insurance commissioner from proceeding under the laws of the State of California. Appeal was taken to the Federal Circuit Court of Appeals and reversal had on the ground of lack of Federal jurisdiction, and the property ordered to be turned over to the officials of California. To this order and mandate of the circuit court of appeals the said Harold Louderback, without any authority of law, imposed a condition that said order and mandate should be complied with provided there be no appeal taken from the order made by him, the said Louderback, allowing a fee of \$6,000 to the said Shortridge and his attorney. All of which facts and circumstances became published and known in said northern district of California.

By such acts the said Harold Louderback exhibited himself to the public as being willing to obstruct the officials of the State of California in their effort to conserve for citizens of California the assets of said insurance company which they had impounded, willing to assert a jurisdiction which he did not possess, willing to defy a mandate of the circuit court of appeals and attach an illegal and unconscionable condition to said mandate in order to penalize and discourage the exercise of a constitutional right of appeal for the definite and obvious purpose of making sure, so far as possible by such illegal action and coercion, that the said Shortridge and his attorney would be paid from the assets of said insurance company so impounded the fees which he, the said Harold Louderback, had allowed, all to the scandal and discredit of the said Harold Louderback and his court and prejudicial to the dignity of the judiciary.

"Wherefore the said Harold Louderback has been and is guilty of high crimes and misdemeanors in office and has not conducted himself with good behavior."

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. MARTIN of Massachusetts. This is simply a bill of particulars that is to be presented to the Senate, that meets with the approval of all of the managers on the part of the House.

Mr. SUMNERS of Texas. Mr. Speaker, with regard to the matter which the Clerk has just read, it is in effect a bill of particulars. This is an amendment to section 5 of the impeachment charges, and the matter has been agreed to by all the managers on the part of the House. I move the adoption of the amendment.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SUMNERS of Texas. Mr. Speaker, I call up House Resolution 108, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 108

Resolved, That a message be sent to the Senate by the Clerk of the House informing the Senate that the House of Representatives has adopted an amendment to article 5 of the articles of impeachment heretofore exhibited against Harold Louderback, United States district judge for the northern district of California, and that the same will be presented to the Senate by the managers on the part of the House.

And also that the managers have authority to file with the Secretary of the Senate, on the part of the House, any subsequent pleadings they shall deem necessary.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A STATESMAN WHO IS MISSED

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an article written by our colleague the gentleman from Kansas [Mr. GUYER].

The SPEAKER. Is there objection?

There was no objection.

The article is as follows:

ARTICLE BY HON. U. S. GUYER, OF KANSAS, PAYING TRIBUTE TO THE LATE WILLIAM R. WOOD, OF INDIANA

For 20 years the late William R. Wood, of Indiana, former Chairman of the Committee on Appropriations, fed the pigeons at the corner of the House Office Building adjacent to the Library of Congress. After having his breakfast, and promptly at a certain time each morning, Mr. Wood would come to this corner with an abundant supply of cornbread or other suitable food which he tossed on the pavement and the plot of grass bordering the walk.

When in Washington he never failed his pigeons, and most of the time he was detained in the Capital both by the Committee on Appropriations and also by the Republican Congressional Committee, of which he was chairman for many years. Thus many generations of burnished, blue, and purple pigeons learned to know him, and as he talked to them he insisted that they "sassed" him back in pigeon language.

Then, on last November 8, he finally met defeat for Congress and became one of that distinguished group of seasoned statesmen, of whom there were more than a hundred, who retired from public life at the close of the last session of Congress—the last "lame duck" session of Congress which will ever convene. Their names form an imposing roster of the great men of the Nation. During this last short session Mr. Wood worked, as usual, like a galley slave from 5 o'clock in the morning till late at night. Then one day Congress adjourned sine die, and another morning the

retiring statesman sadly but affectionately fed the pigeons he loved, whispered good-bye to them, and took a train to New York, where he was to sail on an Atlantic liner for a good rest and a cruise on the Mediterranean.

But before he could sail he was mortally stricken, and ever since the purple pigeons wait in a pathetic vigil, looking up with expectant gaze at every passer-by, hoping again to hear the voice of their old friend. But he has sailed on a ship that never comes back. So, after 20 years of devoted service to his country, during which he saved millions for the people, and after raveling out his life like a prodigal spendthrift in their service, he is missed—by the pigeons. Sic transit gloria mundi, which, being translated, means that there is a vast difference between pigeons and people.

THE SITUATION IN CUBA

Mr. FISH. Mr. Speaker, I ask unanimous consent to speak out of order for 20 minutes on the obligation of the Congress under the Platt amendment in regard to the Cuban situation.

The SPEAKER. Is there objection?

Mr. BYRNS. Mr. Speaker, I regret very much to object to the request of the gentleman from New York, but I am compelled to do so at this time.

BRIDGE ACROSS MISSOURI RIVER, KANSAS CITY, KANS.

The SPEAKER. This is consent day, and the Clerk will call the Consent Calendar.

The first business on the Consent Calendar was the bill (H.R. 48) to extend the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.

The SPEAKER. Is there objection?

Mr. COCHRAN of Missouri. Mr. Speaker, I reserve the right to object. I notice there are six bridge bills on the calendar today and all of them grant consent to a municipality or some subdivision of a State to construct a bridge, with the exception of this one. In the first place, let me ask who composes the Interstate Bridge Co.?

Mr. GUYER. Mr. Speaker, that is composed of an organization in both the States of Kansas and Missouri. The Governor of Missouri is one of the directors, and distinguished men in both States are on that commission.

Mr. COCHRAN of Missouri. I notice that the gentleman's letter to the committee says that legislation has been enacted by the State of Missouri and legislation is pending in the State of Kansas for the purpose of providing approaches to this bridge. This is a toll bridge. It is a private toll bridge. This very question has come up on the floor of the House time and time again, and this House has voted down every effort to spend the people's money to construct approaches to private toll bridges. What does that mean? It takes the money of the people to construct concrete roads up to a bridge and then charges the people whose money has been spent to construct the approaches, for the right to go over the bridge.

Mr. GUYER. These approaches are merely connections with great highways.

Mr. COCHRAN of Missouri. Yes; but how far is the highway likely to be from the entrance to the bridge?

Mr. GUYER. Not far.

Mr. COCHRAN of Missouri. Oh, it is likely to be 5 or 10 miles.

Mr. GUYER. It is not a mile.

Mr. COCHRAN of Missouri. How close is the highway to this bridge?

Mr. GUYER. In Kansas City, Kans., it is not more than a few hundred feet, and in Missouri it is less than a mile.

Mr. COCHRAN of Missouri. If that is the case why could not the bridge corporation build its own approaches?

Mr. GUYER. The Reconstruction Finance Corporation did not want to loan the money to anybody except just to the bridge itself.

Mr. COCHRAN of Missouri. And for that reason the States of Missouri and Kansas must build the approaches to the bridge? The promoters should do it; and if they are not willing, the bridge should not be built.

Mr. GUYER. Well, the States and municipalities and everybody are doing it.

Mr. COCHRAN of Missouri. This report also shows that the Department of Agriculture, in making a favorable re-

port on this bill, is under the impression that the work has started.

Mr. GUYER. Well, it has.

Mr. COCHRAN of Missouri. To what extent?

Mr. GUYER. Some piers have been put in.

Mr. COCHRAN of Missouri. Does the gentleman feel there is any chance the Reconstruction Finance Corporation would advance this money?

Mr. GUYER. Oh, yes. They are ready to put it up just the moment this bill is passed. It will mean work for months for many people.

Mr. COCHRAN of Missouri. That means work for the unemployed, and in view of that situation and the gentleman's assurance that distinguished citizens compose the corporation, I will not object, but I am going to look over these private toll bridge bills during this session, as I have in the past, and they will not get by unless it can be shown there is reasonable ground that they will be built and that there is a necessity for the bridge, and it is not solely for convenience.

Mr. GUYER. This one will be.

Mr. COCHRAN of Missouri. I withdraw the reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Missouri River at or near Kansas City, Kans., authorized to be built by the Interstate Bridge Co., its successors and assigns, by an act of Congress approved May 22, 1928, heretofore extended by acts of Congress approved March 2, 1929, and June 30, 1930, is hereby further extended 2 years from May 22, 1933.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS PEE DEE RIVER AND WACCAMAW RIVER, GEORGETOWN, S.C.

The next business on the Consent Calendar was the bill (H.R. 1596) to extend the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S.C., authorized to be built by the county of Georgetown, S.C., by an act of Congress approved May 29, 1930, are hereby extended 2 and 4 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 8, strike out the words "two and four" and insert the words "one and three"; page 2, line 1, after the word "from", strike out the words "the date of approval hereof" and insert the following: "May 29, 1933."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS WACCAMAW RIVER NEAR CONWAY, S.C.

The next business on the Consent Calendar was the bill (H.R. 4127) to extend the time for the construction of a bridge across the Waccamaw River near Conway, S.C.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by act of Congress approved February 10, 1932, to be built by the State Highway Commission of South Carolina across the Waccamaw River near Conway, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Waccamaw River near Conway, S.C."

BRIDGE ACROSS ALLEGHENY RIVER NEAR PARKERS LANDING, PA.

The next business on the Consent Calendar was the bill (H.R. 4225) granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SNYDER. Mr. Speaker, I object.

Mr. STRONG of Pennsylvania. Will the gentleman withhold his objection?

Mr. SNYDER. I will reserve the objection in order that I may have a little time to look into this matter.

Mr. STRONG of Pennsylvania. It is all set forth in the report. Permit me to say this is an emergency matter. The State of Pennsylvania builds the highway bridges.

Mr. SNYDER. I understand.

Mr. STRONG of Pennsylvania. This bridge is simply to replace an old bridge which has been there for a hundred years. It has been rebuilt a couple of times. The old bridge is about ready to fall down. There is no reason why any objection should be made. They simply overlooked for a little while the necessity for obtaining this enabling act, and their contracts are awarded, and everything is held up until this bill is passed.

Mr. SNYDER. When was this bridge destroyed?

Mr. STRONG of Pennsylvania. Oh, it is still standing, but they have to creep across it. Anything heavy cannot cross it. It is absolutely necessary to construct this bridge, and it would be a serious matter to delay it under the circumstances. I hope the gentleman will not object.

Mr. SNYDER. Is this right at Parkers Landing?

Mr. STRONG of Pennsylvania. Yes; it is right where the old bridge is placed. They will tear the old bridge down.

Mr. SNYDER. What is the proposed cost of this?

Mr. STRONG of Pennsylvania. Oh, I do not know. It will be one of the kind of bridges which the State of Pennsylvania builds. It will be a good bridge, a very heavy structural-steel bridge.

Mr. SNYDER. Mr. Speaker, I will withdraw my reservation of objection.

Mr. CANNON of Wisconsin. Reserving the right to object, may I ask the majority leader what is the program for the balance of the afternoon?

Mr. BYRNS. We will complete this Consent Calendar, and there is nothing else.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, at or near Parkers Landing, in the county of Armstrong, Commonwealth of Pennsylvania, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER NEAR FOREST-VENANGO COUNTY LINE, PA.

The next business on the Consent Calendar was the bill (H.R. 4332) granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at

a point near the Forest-Venango county line, in Tionesta Township, and in the county of Forest, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, near the Forest-Venango county line, in Tionesta Township, Forest County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BRIDGE ACROSS MAHONING RIVER, AT STRUTHERS, OHIO

The Clerk called the next bill, H.R. 4491, granting the consent of Congress to the Board of County Commissioners of Mahoning County, Ohio, to construct a free overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress be, and it is hereby, granted to the Board of County Commissioners of Mahoning County, Ohio, and its successors in office, to construct, maintain, and operate a free overhead viaduct, together with the necessary approaches thereto, across the Mahoning River, at a point suitable to the interests of navigation, at Struthers, Mahoning County, Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the times for commencing and completing the construction of an overhead viaduct authorized by act of Congress approved February 10, 1932, to be built by the Board of County Commissioners of Mahoning County, Ohio, across the Mahoning River, at Struthers, Mahoning County, Ohio, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

"SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended to read as follows: "A bill to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at Struthers, Mahoning County, Ohio."

KEEP THE DEMOCRATIC PARTY LIBERAL

MR. O'MALLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning the discharge rule.

THE SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MR. O'MALLEY. Mr. Speaker, it is proposed by our Committee on Rules to recommend to this House a change in the discharge rule which, as it now stands, permits 145 Members, upon the signing of a petition, to discharge a committee from further consideration of particular legislation and bring the measure to the floor for debate and decision by the entire Membership of the House. Our Rules Committee, now that the Democratic Party is in the majority, comes forth with the proposition that this discharge rule be changed, raising the number of Representatives necessary on a discharge petition from 145 to 218. If ever a proposition were advanced by any committee and the Committee on Rules in particular, to test the individual sincerity of the Membership of this House in their endeavors ably to represent their constituency, this proposal to apply even more stringent gag rule to the Membership than has been applied heretofore during the session, is the most direct. If I were

writing a page of history which discussed this particular proposition, I might use for a title, "Stepping Backward with the Democratic Party."

This is no time to bring in any rules of this kind to a House of Representatives or to a party elected because the mass of the American people believed we would be a liberal party insistent upon liberal legislation. I am told that this is designed to prevent the Republican minority in the House from embarrassing the President by bringing controversial measures to the floor of the House. To my mind that is the same kind of half-truth we have been handed for a good many weeks in the past on everything connected with this question of gag rule.

Let us review the few arguments in favor of this proposed change as propounded by its sponsors. First of all, argument no. 1, is that unless this rule is changed 27 Democrats may align themselves with the Republican minority to embarrass the President. Do these gentlemen who advance that argument wish to convey to me or to any of the rest of the Democratic Membership that our President, up in the White House, has looked over the Democratic Membership and said to our leaders, "Gentlemen, there are 27 potential traitors among you. You have to fix up the rules to prevent them committing treason." Such an argument is an insult and a damnable libel on every Democratic Member of this House. I am just as much entitled to say that among our committees, controlled by the Democrats, there are committees that may be traitors as anyone is entitled to say that among the whole delegation there are 27 unknown Democrats awaiting the opportunity to turn traitor to our President.

Argument no. 2, advanced in favor of this proposed reactionary change in the rules, is that it is just an emergency proposition and does not give the real meaning of the Democratic Membership on the question of liberal or restrictive rules in the House. That is some more bunk! A lot of crimes have been committed in the name of emergency and in the name of the President in the past few weeks; and as only one example to prove this contention of mine, I point to the press-censorship law which was passed by this House a few days ago.

This measure, gentlemen, is not aimed at the Republican Party; it is aimed at the Democrats. It is not designed to choke off Republican legislation because it is a laughable proposition to go before the press and the American people and say we are more afraid of fewer Republicans today than we were of the larger group of them less than a year ago, when we supported and approved the present liberal rule. This measure is designed to throttle the expressions of Democrats in this House who were elected as liberals, who are expected to be liberals, and are going to do their best to carry out the liberal policies for which both they and the President campaigned.

The whole proposition has a strong odor of hypocrisy when I find that it is supported by men who in the last session of Congress openly favored liberalization of the rules so they could bring the subject of beer and whisky to the floor of the House, but now want the rules changed to keep other measures off the floor of the House, that are just as important to the American people as beer and whisky is or ever will be. This very measure camouflaged under the guise of stifling a Republican minority, is in reality intended to stifle a Democratic majority who have come down here to enact liberal legislation and not make a racket out of holding a seat in Congress by doing only enough to give them an excuse and an issue for a reelection campaign. There are some of us here who are anxious to see this House of Representatives carry out the pledges made to the American people as quickly as possible regardless of the set opinions of any chairman of any committee in the House. And lest we forget, permit me to point out that the change in the Membership of this House, by the election of 169 new Members, was not alone a question of party. The people of the United States were sick and tired of the antics of Congress, and the election in a good many districts was an election decided upon a basis of the "ins" against

the "outs". That is proved by the fact that a good many Democrats who once sat here were defeated in primaries by new Democrats. That had nothing to do with the Roosevelt landslide or any other kind of a landslide.

Now, for the benefit of those who sponsor this backward step of the Democratic Party which will create a schism in our ranks that there is no need for at this time and which will make us look like machine politicians suddenly in view of the feed trough, I want to review a few choice remarks by my esteemed friend from Illinois, who spoke in another session of this Congress in favor of liberalizing the rules. He is such an artist with words and I so admire his ability to handle words in defense of liberality, that I cannot refrain from reading to you some of the gems from the remarks of the distinguished Mr. SABATH when he spoke for the adoption of this present liberal rule which we now have been asked to change. I quote from the CONGRESSIONAL RECORD. These remarks are on page 81, volume 75, first session of the Seventy-second Congress. Mr. SABATH says:

When I entered the House Uncle Joe Cannon was its Speaker. * * * At that time the Speaker was the House, but in 1910, during the Sixty-first session of Congress, with the aid of the press and a few true Progressives from Wisconsin, after a most determined fight, which was tantamount to a revolution of procedure under the leadership of our then leader, Champ Clark, our present Speaker, John N. Garner, the present majority leader, Henry T. Rainey, Claude Kitchin, and Judge Shackelford, of Missouri, we succeeded in amending the rules and freeing the Membership from the tyrannical rule and dictatorship of the Speaker. * * * Today, after 22 years, thanks to the Democratic majority, we again have a chance and an opportunity to liberalize the rules and to relieve the Membership from the extremely restrictive and established rulings which have been in effect the last 10 years of Republican rule. * * * To me, who continually demanded the liberalization of these rules, it is a great satisfaction that we are about to protect the Members in their rights and privileges so long denied them, for not only was the House often at the mercy of the Speaker, but also at the mercy of the conferees and of the various chairmen of the committees.

Now, just as Mr. SABATH opposed the dictatorship of the Speaker and fought so long to break down this dictatorship, I stand here and oppose giving a dictatorship to committees of the House.

Let me interject here that the contention that unless we change this rule we place the fact and the future of our President and his measures in danger through the action and opposition of a small Republican minority is stretching the facts. For, if this contention is true, we likewise place the President, by a change to a stricter rule, in the dangerous position of being entirely at the mercy of these committees as they are now constituted in the House. With the rule raised to a total of 218 or more members, as is now proposed, every committee in this House is in a position to say to the President, "Unless we approve the provisions of the measures you advocate, or unless you make us these concessions, you, Mr. President, have not a chance of getting your measures to the floor of the House from the Democratic side or any other side." In arguments in favor of this proposed change the remark has been made that it is a matter of practical politics. I have studied this proposal to incorporate the gag rule more definitely in the House rules than heretofore, from a political standpoint, and I should like to point out a few of the political aspects for the benefit of those Members who are not completely familiar with the set-up of this Seventy-third Congress. First of all, I have noticed that a delegation from one financially and industrially powerful Eastern State seems to be unanimous in supporting this proposed change which would prevent a committee from being discharged when it refused to act upon a measure of interest to the great majority of the Membership of this House. It is interesting to note that this particular Eastern State is represented with a chairmanship on seven important committees in the present Congress. Most of the Members of the House know that the chairman of a committee is usually the deciding authority on whether or not any legislation shall be reported out of the committee for hearing and decision by the Membership of the House as a whole.

Practical politics would lead me to wonder if a minority block of votes in the Democratic Party in the present Congress was not seeking a means by which a few eastern financial and industrial centers would be in a better position to make their power felt in decisions affecting not only the people of the United States but the peoples of the great Middle, North, and Southwest sections when this eastern block of votes in the House were in a position to throw their weight from one side to another under the stricter rules. It is practical politics to suspect that a block of 30 or 40 votes in the Democratic House, well organized and controlled, would be far more effective under the 218 rule than they would be under the present 145 rule. That is the practical-politics side of this proposed change, and it perhaps would not have occurred to me had not some of the eastern delegations in the Democratic Party in this House taken such an active and positive stand in favoring the application of a stricter rule against the entire Membership of the present Congress. It is practical politics from the side of an organized minority in the Democratic Party to wish their position strengthened in their ability to affect Democratic policies through a change of this rule, but it is most impractical for any Democratic Member not aligned with a definite, organized minority within the Democratic ranks to support such a change which will in the future, I am sure, react most unfavorably toward the liberal legislation which the majority of Democrats have come here to endeavor to enact.

Now we come to the argument that is being advanced to a good many new Members that perhaps the President wants this rule changed. Perhaps he wants the Democrats to become reactionaries now that they are in power? Perhaps he wants the Democrats to play machine politics, to bring machine or "boss" politics on the floor of the House and choke off liberal thought not only in our party but in the House as a whole? I do not believe that is true, and the reason for my disbelief is my knowledge of Mr. Roosevelt's political career, which is a guaranty that he would never sponsor such a "boss" measure.

There are a lot of new Members here, of which I am one, and I should like to call their attention to some incidents in the career of Franklin Roosevelt which set him on the road to the White House, where he is today, and then they may judge for themselves, if Franklin Roosevelt were a Member of this House, on which side of this question he would vote. I quote from the articles written by our President's mother, Mrs. James Roosevelt, and appearing at the present time in the Hearst newspapers. How would our President vote on this issue of departing from a liberal rule, when his own mother says of him in his early career, and I quote:

Franklin was one of the opposing senators who refused to stop thinking and do as he was told. On the contrary, he set quietly to work organizing an up-State opposition movement. Franklin, who had been elected on an anti-bossism platform, was determined to carry out his pledge to his constituents, even though it meant an open break with the bosses of his own party. And further, he had run on a self-imposed platform which promised that he would try to represent the voters insofar as they made their desire known to him through their votes.

Now let us go on farther in the Roosevelt career as our President's mother portrays it in her articles in the daily papers. From the Wilson campaign I quote the following:

It was not long before he (Franklin Roosevelt) was bucking a powerful lobby that was threatening his program to regulate commission merchants.

And then we see him as Governor of New York, and his mother says of his career:

It was no time at all before there was antagonism to Franklin's water-power bill and the then Governor of New York had to go to law to prove the justice of his contention.

Now let me point out that the very President in whose name some are endeavoring to convince us that we should change this liberal rule under the pretense of blocking a Republican minority refused to let even a lower court reversal stand in his way to fight for what was right. When the Democratic Party departs from this liberal rule, fostered and promoted by it for years, it is departing not only from

the liberals of the United States and divorcing itself from a principle for which the Democratic Party has always stood, but it is straying from the path of our own President's personal political philosophy. The people are not going to be fooled by the hokum that a vast majority of Democrats are afraid of the political tricks of a ridiculously small minority of Republicans. When a Member votes for a departure from this liberal rule he votes to pass the buck to a committee in order that he can go back to his constituents and say, "I could not carry out my pledges to you because the committees were against me." The citizens of every district represented here in the House expect their Congressmen to fight just as hard as they can to promote the interests of their districts and the carrying out of pledges made in the campaign. And the last election should be a warning that the people will not tolerate a "buck passer", regardless of whether he is a Democrat or a Republican. A great many of the new Members, including myself, have strived since the first day of our seating in this House to find and attach ourselves to some principle of conduct that will guide us in our duties toward our constituency and toward the House. There is no better place than here and now to recall the able and brilliant remarks of Edmund Burke made to his constituents in 1774:

It should be the glory as well as the honor of a representative to live in the strictest union, the closest correspondence, the most unreserved communication with his constituents. Their wishes should at all times have great weight with him, their opinions high respect, their business his unremitting attention. But his mature opinion, his unbiased judgment, his enlightened conscience he should not surrender to any men or set of men. These he does not derive from the law or the constitution. They are the gift of Providence, for the use of which he is deeply responsible.

And then Mr. Burke, in concluding, says something that should be burned in the mind of everyone who casts a vote on this measure, and that is:

Your representative owes you not only his industry but he owes you his judgment as well, and he is betraying instead of serving you when he sacrifices that judgment to the opinion of others.

Now, ladies and gentlemen of the House, the motto of the great State from which I come is expressed in one word. It is "forward". I want to go forward with the Democratic Party in this Congress. I want to go forward without sacrificing my right to support and fight for the interests of my constituents by every possible and legitimate means. In this unfortunate attempt to saddle upon the Democratic majority and the President of the United States a dictatorship of committees in this House through a change in the rules, I must vote against the proposed change. In the caucus which discussed this matter it was said that all we had to do was change the rules of the caucus to pledge that no Democrat would sign a Republican petition. If this measure were not aimed at the Democrats instead of the Republicans this alternative proposition which I have just mentioned would solve any threat of danger from the Republican minority, and we could settle our party problems within our party ranks, where they belong, and not out on the floor of the House, where we are about to make ourselves ridiculous and place the Democratic Representatives in a position of consenting to be gagged by the very rules of the House which, in my opinion, are not even now as liberal as they should and could be. I want to go forward with the President and the Democratic Party. I cannot go backward by supporting this change and shall vote against this rule brought in by the Committee on Rules.

EMBARGO ON ARMS AND MUNITIONS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the embargo bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, the question before the House is, Shall the President of the United States receive from the Congress the right and authority to place an embargo on munitions of war against an aggressor nation?

The claim cannot be made or urged here, by those who favor this legislation, that this measure comes to this body clothed in that familiar garment called "emergency." No one here has heard that an emergency exists for the passage of this kind of legislation. To confer upon the Chief Magistrate such tremendous, discretionary power is to constitute him judge and jury of a situation which could lead this Nation into war. The President of the United States, either acting alone or in concert with other powers, could declare who the aggressor is. Such a power would supersede all the laws of neutrality.

Under this bill the President could declare in a conflict of arms between belligerent nations who was in the right and who was in the wrong. He could render a verdict of guilty or not guilty in a case over which we might have no jurisdiction. Such a declaration, no matter how righteous it might appear, would at once be an unfriendly act, to say the least, against the nation declared to be the aggressor, and it would be an act of sufficient cause to lead to ultimate hostility between this country and the offended nation. It would be a severe departure from the established policy of this Government since it took its place among the civilized powers of the world. It would be an unneutral act. It would be meddling in business that is none of our business. We would declare, by passing this legislation, that the Father of our Country was wrong when he advised the young Republic to keep free from foreign entanglements. We would herald to the world a new policy of action in which we would say that after 140 years the principle laid down by the fathers of the Republic is all wrong. It is the Congress of the United States and not the President that is charged with the solemn right of laying embargoes and declaring war under the Constitution.

Any legislation that would make it easier to embroil this country in conflict ought to be defeated, and any law that would make it harder to engage in conflict should be passed.

Let the United States keep the even tenor of its way.

This legislation instead of preventing war would have a tendency of leading us into war.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. REID of Illinois, indefinitely, on account of illness.

To Mr. SABATH, for 4 days, on account of illness in family.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 158. An act to prevent interstate commerce in certain commodities and articles produced or manufactured in industrial activities in which persons are employed more than 5 days per week or 6 hours per day; to the Committee on Labor.

ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p.m.) the House adjourned until tomorrow, Tuesday, April 18, 1933, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

21. A letter from the chief scout executive, transmitting copy of the Twenty-third Annual Report of the Boy Scouts of America (H.Doc. No. 20); to the Committee on Education and ordered to be printed.

22. A communication from the President of the United States, transmitting a supplemental estimate of appropriation pertaining to the legislative establishment, House of Representatives, for the fiscal year 1933, in the sum of \$15,000; to the Committee on Appropriations.

23. A communication from the President of the United States, transmitting supplemental estimates of appropriation

tions pertaining to the legislative establishment, United States Senate, for the fiscal year 1933, in the sum of \$18,000; to the Committee on Appropriations.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H.R. 4956) granting a pension to Daniel W. Tidmore, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYERS of Montana: A bill (H.R. 5037) creating a memorial postage stamp in honor of Thomas J. Walsh; to the Committee on the Post Office and Post Roads.

By Mr. WELCH: A bill (H.R. 5038) authorizing pursers or licensed deck officers of vessels to perform the duties of the masters of such vessels in relation to entrance and clearance of same; to the Committee on Merchant Marine, Radio, and Fisheries.

By Mr. AYERS of Montana: A bill (H.R. 5039) to amend section 1 of the act of June 25, 1910 (36 Stat.L. 855), entitled "An act to provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes", and to repeal the act of March 3, 1928 (28 Stat.L. 161); to the Committee on Indian Affairs.

By Mr. DOUGHTON: A bill (H.R. 5040) to extend the gasoline tax for 1 year, to modify postage rates on mail matter, and for other purposes; to the Committee on Ways and Means.

By Mr. McLEOD: A bill (H.R. 5041) to restore certain constitutional rights at present denied citizens of the United States by the Economy Act of 1933; to the Committee on Expenditures in the Executive Departments.

By Mr. STUDLEY: A bill (H.R. 5042) to increase the compensation of letter carriers in the Village Delivery Service; to the Committee on the Post Office and Post Roads.

By Mrs. NORTON: A bill (H.R. 5043) to require financial responsibility of owners and operators of vehicles for hire in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MARLAND: A bill (H.R. 5044) to aid in the conservation of crude petroleum and prevent the transportation and sale in interstate and foreign commerce of crude petroleum or the products thereof, which crude petroleum has been unlawfully produced, and to invest the Secretary of the Interior with power to carry out this act; to the Committee on Interstate and Foreign Commerce.

By Mr. HANCOCK of North Carolina: A bill (H.R. 5045) to amend section 5219 of the Revised Statutes, as amended; to the Committee on Banking and Currency.

By Mr. MARLAND: A bill (H.R. 5046) to raise revenue by prohibiting oil pipe-line companies from filing consolidated returns and to increase the income tax on such companies; to the Committee on Ways and Means.

By Mr. COCHRAN of Missouri: A bill (H.R. 5047) to exempt the national headquarters of the American War Mothers from real-property taxation; to the Committee on the Judiciary.

By Mr. O'CONNOR: Resolution (H.Res. 109) to amend clause 4 of rule XXVII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. HASTINGS: Joint resolution (H.J.Res. 154) proposing an amendment to section 7, article I, of the Constitution of the United States, permitting the President of the United States to disapprove or reduce any item or appropriation of any bill passed by Congress; to the Committee on the Judiciary.

By Mr. O'MALLEY: Joint resolution (H.J.Res. 155) proposing an amendment to the Constitution of the United States granting power to the Congress in time of war to take

property for military and nonmilitary purposes without payment of profit when conscripting persons for military or nonmilitary purposes; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Wisconsin: A bill (H.R. 5048) for the relief of Edith L. Peeps; to the Committee on Claims.

By Mr. DOCKWEILER: A bill (H.R. 5049) granting a pension to William Dunn; to the Committee on Pensions.

Also, a bill (H.R. 5050) for the relief of Lena E. Allen; to the Committee on Claims.

Also, a bill (H.R. 5051) granting a pension to Steve Hendrick; to the Committee on Pensions.

Also, a bill (H.R. 5052) for the relief of Mr. and Mrs. G. G. Gross; to the Committee on Claims.

Also, a bill (H.R. 5053) granting a pension to Ella Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H.R. 5054) for the relief of Joseph McRay; to the Committee on Military Affairs.

Also, a bill (H.R. 5055) granting a pension to Jessie F. Langridge; to the Committee on Invalid Pensions.

Also, a bill (H.R. 5056) granting a pension to Presley T. Jenkins; to the Committee on Pensions.

By Mr. KVALE: A bill (H.R. 5057) for the relief of John E. Fondahl; to the Committee on Naval Affairs.

Also, a bill (H.R. 5058) for the relief of the Waterous Co.; to the Committee on Claims.

By Mr. O'BRIEN: A bill (H.R. 5059) for the relief of Louis Alfano; to the Committee on Claims.

By Mr. REECE: A bill (H.R. 5060) granting a pension to Mahlon S. Jones; to the Committee on Pensions.

By Mr. SECREST: A bill (H.R. 5061) granting a pension to Mareta Anna Booher; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H.R. 5062) granting a pension to Anna L. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H.R. 5063) granting a pension to Laura E. Stacy; to the Committee on Invalid Pensions.

Also, a bill (H.R. 5064) to pay certain fees to Maude G. Nicholson, widow of George A. Nicholson, late a United States commissioner; to the Committee on Claims.

Also, a bill (H.R. 5065) granting a pension to Lydia E. Perkins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

548. By Mr. DONDERO: Petition of the State of Michigan, through its legislature in regular session of 1933, by Senate Concurrent Resolution No. 10, urging the United States Congress to reflate the dollar; to the Committee on Banking and Currency.

549. By Mr. JOHNSON of Minnesota: Resolution by the members of the New York Mills (Minn.) National Farm Loan Association, that Federal land banks should abate and defer all foreclosures and evictions; to the Committee on Banking and Currency.

550. By Mr. KVALE: Petition of Duluth Chamber of Commerce, Duluth, Minn., opposing a transfer of the Hydrographic Office from the Navy Department to the Department of Commerce; to the Committee on Economy.

551. Also, petition of Joe Paul Post, No. 334, American Legion, Redby-Red Lake, Minn., urging protection of preference rights of veterans and widows of veterans holding civil-service jobs; to the Committee on the Civil Service.

552. Also, petition of Osceola Farmers' Union, Local No. 238, Bird Island, Minn., unanimously urging enactment of the Frazier bill and the Swank-Thomas bill; to the Committee on Agriculture.

553. By Mr. LEHR: Senate Concurrent Resolution No. 10 of the State of Michigan, Fifty-seventh Legislature, regular

session of 1933, urging the United States Congress to reflate the dollar; to the Committee on Banking and Currency.

554. By Mr. LINDSAY: Petition of National Organization Masters, Mates, and Pilots of America, New York City, favoring House bill 4557; to the Committee on Labor.

555. Also, petition of Amalgamated Ladies Garment Cutters Union, Local No. 10, New York City, favoring the 30-hour week bill now before the House; to the Committee on Labor.

556. Also, petition of G. L. Richter Manufacturing Co., Inc., Glendale, Long Island, N.Y., opposing the 30 hour week bill reduction in tariffs; to the Committee on Labor.

557. Also, petition of Rockwood & Co., Brooklyn, N.Y., opposing the Black bill, S. 158, and the Connery bill; to the Committee on Labor.

558. By Mr. O'MALLEY: Memorial of the Legislature of the State of Wisconsin, urging the Congress of the United States to enact legislation whereby the Postmaster General would be authorized and directed to issue a special series of postage stamps commemorative of the one hundred and fiftieth anniversary of the naturalization as an American citizen and appointment of Thaddeus Kosciuszko as brevet brigadier general of the Continental Army on October 17, 1783; to the Committee on the Post Office and Post Roads.

559. Also, memorial by the Legislature of the State of Wisconsin, urging the President of the United States, the Congress of the United States, and the United States Veterans' Bureau not to abandon the Wisconsin Memorial Hospital, nor to remove to other hospitals the veterans now receiving care and treatment in this hospital, and expressing the readiness of the State legislature to consider other arrangements than those now prevailing in regard to payments from Federal funds to the State for the care and treatment of patients in the Wisconsin Memorial Hospital so that consideration of the necessity for effecting economies in Federal expenditures will not be involved; to the Committee on Public Buildings and Grounds.

560. By Mr. RUDD: Petition of the G. F. Richter Manufacturing Co., Inc., 102 Ridgewood Avenue, Glendale, Long Island, N.Y., protesting against the passage of the proposed 30-hour work week legislation; to the Committee on Labor.

561. Also, petition of the Common Council of the City of Buffalo, N.Y., opposing the construction of the St. Lawrence waterway and the signing of the treaty with the Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

562. Also, petition of American Manufacturers Export Association, New York City, favoring the immediate negotiation of reciprocal, bargaining tariffs by the United States Government with other national governments, looking toward the freer interchange of commodities mutually advantageous, etc.; to the Committee on Ways and Means.

563. Also, petition of International Tailoring Co., New York City, favoring certain amendments to the proposed 30-hour work week; to the Committee on Labor.

564. Also, petition of National Organization Masters, Mates, and Pilots of America, New York City, favoring the passage of House bill 4557, 5-day work week; to the Committee on Labor.

565. Also, petition of Rockwood Co., Brooklyn, N.Y., opposing the passage of the Senate bill 158, providing for a 30-hour week; to the Committee on Labor.

566. Also, petition of Amalgamated Ladies Garment Cutters Union, Local 10, New York City, favoring the passage of the Connery 30-hour work week legislation; to the Committee on Labor.

567. By Mr. WELCH: Petition in the nature of Assembly Joint Resolution No. 15 of the California Legislature, relative to memorializing and petitioning Congress to adopt a national system of insurance to protect bank depositors in the national banks of the United States; to the Committee on Ways and Means.

568. By the SPEAKER: Petition of the Board of Supervisors of the County of Los Angeles, State of California.

SENATE

TUESDAY, APRIL 18, 1933

(Legislative day of Monday, Apr. 17, 1933)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

Mr. ROBINSON of Arkansas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Costigan	Keyes	Robinson, Ark.
Ashurst	Couzens	King	Robinson, Ind.
Austin	Cutting	La Follette	Russell
Bachman	Dickinson	Lewis	Schall
Bailey	Dieterich	Logan	Sheppard
Bankhead	Dill	Loneragan	Shipstead
Barbour	Duffy	McAdoo	Smith
Barkley	Erickson	McCarran	Steiner
Black	Fletcher	McGill	Stephens
Bone	Frazier	McKellar	Thomas, Okla.
Borah	George	McNary	Thomas, Utah
Brown	Glass	Metcalf	Townsend
Bulkeley	Goldsborough	Murphy	Trammell
Bulow	Gore	Neely	Tydings
Byrd	Hale	Norbeck	Vandenberg
Byrnes	Harrison	Norris	Van Nuys
Capper	Hastings	Nye	Wagner
Caraway	Hatfield	Overton	Walcott
Carey	Hayden	Patterson	Walsh
Clark	Hebert	Pittman	Wheeler
Connally	Johnson	Pope	White
Coolidge	Kean	Reed	
Copeland	Kendrick	Reynolds	

Mr. LEWIS. I wish to announce that the Senator from New Mexico [Mr. BRATTON] and the Senator from Louisiana [Mr. LONG] are necessarily detained from the Senate.

The VICE PRESIDENT. Ninety Senators have answered to their names. A quorum is present.

REPORT OF THE BOY SCOUTS OF AMERICA

The VICE PRESIDENT laid before the Senate a letter from the Chief Scout Executive of the Boy Scouts of America, submitting, pursuant to law, the Twenty-third Annual Report of the Boy Scouts of America for the year 1932, which, with the accompanying report, was referred to the Committee on Education and Labor.

NONRECOGNITION OF THE SOVIET GOVERNMENT OF RUSSIA

The VICE PRESIDENT laid before the Senate a communication from the recording secretary general, National Society of the Daughters of the American Revolution, which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C., April 17, 1933.

The VICE PRESIDENT,

United States Senate, Washington, D.C.

MY DEAR MR. VICE PRESIDENT: It is my pleasure to transmit to you the following resolution which was adopted unanimously by a rising vote at the opening meeting of the Forty-second Continental Congress of the National Society of the Daughters of the American Revolution:

"Whereas the Union of Socialistic Soviet Republics exists as an inseparable part of the Third International, which has for its purpose the overthrow of all existing noncommunist governments by violent revolution: Now, therefore, be it

"Resolved, That the Forty-second Continental Congress of the National Society of the Daughters of the American Revolution reaffirm its opposition to the recognition of the present dictatorship of Soviet Russia by the Government of the United States; and be it further

"Resolved, That copies of this resolution be sent to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives, and the Secretary of State."

Sincerely yours,

HELEN NEWBERRY JOY,
(Mrs. Henry Bourne Joy),
Recording Secretary General,
National Society of the
Daughters of the American Revolution.
EDITH SCOTT MAGNA,
President General.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following concurrent resolution of the Legislature of the Territory